

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                 )                           4:07CR3051  
                                  )  
V.                            )  
                                  )  
DALE A. WEICHEL,            )                           ORDER  
                                  )  
Defendant.                 )  
                                  )

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Defendant has filed an unopposed motion to continue his trial pending the results of additional laboratory testing on seized substances relevant to his case. Filing 17. I shall grant the defendant's motion.

IT THEREFORE HEREBY IS ORDERED:

1. The defendant's motion to continue his trial, filing 17, is granted, and trial is continued to 9:00 a.m. on September 4, 2007 before the Honorable Warren K. Urbom, United States Senior District Judge in Courtroom 4, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

3. The time between today's date and September 4, 2007 is excluded from the calculation of time required by the Speedy Trial Act, because the parties are still accumulating information in preparation for trial, and the outcome of laboratory testing may impact the parties' interests in plea negotiations and their trial preparation. Failure to grant the continuance would unreasonably deny counsel the opportunity to consider entering a plea of guilty or, in the alternative, preparing effectively for trial, taking into consideration due diligence. 18 U.S.C. § 3161(h)(8)(A) and (B)(iv). The ends of justice served by granting the defendant's request for additional time therefore outweighs the best interests of the public and the defendant in a speedy trial.

DATED this 17<sup>th</sup> day of July, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge